

**THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION  
CIVIL CASE NO. 1:20-cv-00220-MR**

**RANDY W. BARKLEY, Individually  
and as the Executor of the Estate of  
Rita W. Barkley, Deceased,**

**Plaintiff,**

**vs.**

**4520 CORP., INC., Individually and  
as Successor-in-Interest to  
Benjamin F. Shaw Company, et al.,**

**Defendants.**

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**ORDER**

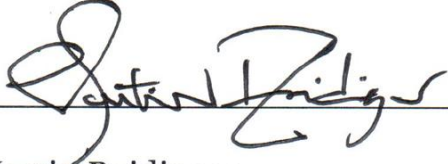
**THIS MATTER** is before the Court on the Defendant Covil Corporation's Motion for Summary Judgment [Doc. 318]; the Defendant Covil Corporation's Motion to Exclude Expert Opinion Testimony of Edwin Holstein, M.D. [Doc. 322]; the Defendant Covil Corporation's Motion to Exclude Expert Opinion Testimony of John C. Maddox, M.D. and Arnold R. Brody, Ph.D. [Doc. 324]; and the parties' Joint Motion to Dismiss [Doc. 399].

Upon review of the parties' motion,

**IT IS, THEREFORE, ORDERED** that the parties' Joint Motion to Dismiss [Doc. 399] is **GRANTED**, and all the Plaintiff's claims against the Defendant Covil Corporation are hereby **DISMISSED WITH PREJUDICE**.

**IT IS FURTHER ORDERED** that the Defendant Covil Corporation's Motion for Summary Judgment [Doc. 318], Motion to Exclude Expert Opinion Testimony of Edwin Holstein, M.D. [Doc. 322], and Motion to Exclude Expert Opinion Testimony of John C. Maddox, M.D. and Arnold R. Brody, Ph.D. [Doc. 324] are **DENIED AS MOOT**.

**IT IS SO ORDERED.**

  
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Martin Reidinger  
Chief United States District Judge

